

FRANK A. RACANO, P.C.

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Frank A. Racano, Esq.

July 3rd, 2012

Via ECF

Honorable Steven M. Gold
Chief Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza West
Brooklyn, New York 11201

Re: Petersen v. Aries Financial et al.
District Court Civil Action Index No. 06-6663

Dear Magistrate Gold:

As you Honor is aware this office represents Ursula Petersen with regard to the above captioned matter. This correspondence shall serve as a status report in this matter.

The closing of title on the subject premises was had and all parties have been paid pursuant to the payoff statements provided. All conditions of the closing that pertained to Ms. Petersen expired on Saturday June 30, 2012 and all conditions have been met or waived. The matter is now deemed settled. A stipulation agreement and a stipulation of dismissal were executed by the parties.

I have attached a copy of the stipulation of dismissal signed by all parties except Mr. Powell which I have requested from his counsel. Upon receipt same will be filed on ECF for the Courts signature and this matter will be closed.

Should you have any questions, kindly contact the undersigned.

Very truly yours,


FRANK A. RACANO

FAR:mq
Enclosures
cc: Ursula Petersen

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
ESTATE OF MARIE PETERSEN, individually and as alleged
managing member of 519 THROOP AVE., LLC

Plaintiff,

Case No. 06-cv-1097
(RJD)(SMG)

- against -

ARIES FINANCIAL, LLC, FREDRIC A. POWELL
AND JACQUES MICHAANE,

Defendants.
-----X

STIPULATION OF DISMISSAL


IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff Estate of Marie Petersen ("Plaintiff"), through her undersigned counsel, and Defendants Aries Financial, LLC ("Aries"), Fredric A. Powell ("Powell") and Jacques Michaane ("Michaane") (collectively, "the Parties"), and subject to approval by the Court that:

1. All claims by Plaintiff against Aries, Powell and Michaane and any cross and/or counterclaims by and between the parties are dismissed with prejudice.
2. Each of the Parties shall bear its own costs and attorneys' fees incurred in this lawsuit.
3. This Court shall retain jurisdiction for the purpose of enforcing compliance with the terms of the Settlement Agreement between the Parties, the terms of which are incorporated by reference herein.

Date:

4/25/12

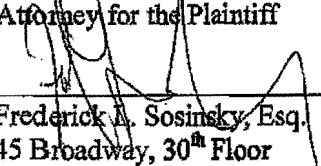
By:


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Attorney for the Plaintiff

Date:

4/26/12

By:


Frederick A. Sosinsky, Esq.
45 Broadway, 30th Floor
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FredS@newyork-criminaldefense.com
Attorney for Aries Financial LLC

Date:

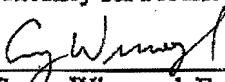
By:

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gschoer@aol.com
Attorney for Fredric A. Powell

Date:

5/11/12

By:


Corey Winograd, Esq.
Winograd & Winograd P.C.
450 Seventh Avenue, Suite 1308
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Tel: (212) 268-6900
Fax: (212) 417-6084
coreywinograd@gmail.com
Attorney for Jacques Michaane

SO ORDERED:

Dated: _____

HONORABLE RAYMOND J. DEARIE
U.S.D.J.

From: Frank A. Racano, Esq. <far3006@aol.com>

To: Gschoer <Gschoer@aol.com>

Subject: Re: 519 Throop

Date: Tue, Jul 3, 2012 6:49 am

Gary,

Can you please email me a copy of the signed agreement and Stipulation so I may file same. Thank you.

Frank Racano

-----Original Message-----

From: Gschoer <Gschoer@aol.com>

To: fredS <fredS@newyork-criminaldefense.com>; far3006 <far3006@aol.com>; coreywinograd <coreywinograd@gmail.com>

Sent: Fri, May 25, 2012 8:26 am

Subject: Re: 519 Throop

Gentlemen:

I have finally received the Settlement Agreement(1 original) signed by Fred Powell.-Who gets it or do you need just electronic copies of that and the Stipulation of Dismissal which I can now sign? Please advise as to how we will be proceeding to wrap this up.

GARY SCHOER, ESQ.
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(516) 496 3500
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